

May 24, 2021

VIA ECF

The Honorable Jesse M. Furman, U.S.D.J.  
United States District Court  
Southern District of New York  
Thurgood Marshall U.S. Courthouse  
40 Foley Square  
New York, New York 10007

Re: Fischler v. American Luggage LLC (Roam Luggage, Inc.).  
Case No. 1:21-cv-01461-JMF

Dear Judge Furman:

We represent Plaintiff Kareem Nisbett and write to respectfully request a 30-day adjournment of Plaintiff's time to file a Motion for Default Judgment pursuant to the Court's May 12, 2021 Order (Dkt. 15).

Although the Summons and Complaint in this matter was properly served on the Secretary of State on April 6, 2021, it has been our experience that service via the Secretary of State can often take several weeks to reach the Defendant—a delay that has only grown longer in the pandemic. Plaintiff is currently in the process of contacting Defendant via email and USPS to call its attention to this matter and to the fact that its Answer and appearance are now overdue. In the interest of avoiding potentially unnecessary motion practice and use of judicial resources, Defendant respectfully requests a 30-day adjournment of the May 24, 2021 deadline to file his Motion for Default Judgment, so that it might confer with Defendant to secure its appearance and Answer and, perhaps, reach an amicable resolution.

This is Plaintiff's first request for an adjournment of this deadline. As Defendant has not yet appeared in this matter, it has neither consented to, nor objected to this request.

Respectfully submitted,  
LIPSKY LOWE LLP

s/ Christopher H. Lowe  
Christopher H. Lowe

Application GRANTED. Plaintiff shall file any motion for default judgment no later than **June 25, 2021**. Defendant shall file any opposition no later than **July 2, 2021**. The default judgment hearing scheduled for June 7, 2021, is adjourned to **July 13, 2021, at 4:00 p.m.** The procedures set forth at ECF No. 13 otherwise remain in effect. The Clerk of Court is directed to terminate ECF No. 14.

SO ORDERED.



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